

ENTERED

August 28, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

VASS PIPE & STEEL	§	CIVIL ACTION No
CO INC,	§	4:23-cv-00708
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
KN EQUIPMENT INC,	§	
Defendant.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiff filed a complaint against Defendant KN Equipment, Inc to recover for unpaid invoices. Dkt 1. Plaintiff filed a return of service indicating that Defendant was served on March 21, 2023. Dkt 5. Defendant didn't answer or otherwise respond to the complaint, and the clerk entered default on May 18, 2023. Dkt 11. Plaintiff then filed a motion for default judgment supported by evidence of its damages. Dkts 9, 12 & 14.

Pending is a Memorandum and Recommendation by Magistrate Judge Christina A. Bryan dated July 28, 2023, recommending that default judgment be entered awarding Plaintiff \$75,271.34 in actual damages, \$3,887.50 in attorney's fees, \$512.20 in costs, and prejudgment and postjudgment interest. Dkt 15.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v*

PPG Industries Inc, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

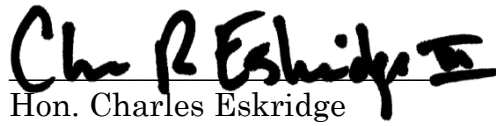
No party filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 15.

A final judgment will enter by separate order.

SO ORDERED.

Signed on August 25, 2023, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge